

To: The Honorable Mayor and City Council

From: Roland C. Galdos, Interim City Attorney

Date: August 25, 2015

RE: Proposed Resolution Ratifying Foreclosure of Code Enforcement Liens

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE
FORECLOSURE OF CODE ENFORCEMENT LIENS ON
THE PROPERTY LOCATED AT 665 N.E. 122 STREET,
NORTH MIAMI, FLORIDA; PROVIDING FOR AN
EFFECTIVE DATE AND ALL OTHER PURPOSES.**

RECOMMENDATION

It is recommended that the Mayor and City Council approve the attached resolution ratifying the foreclosure of code enforcement and special assessment liens which are attached to non-homestead property.

BACKGROUND

The City of North Miami currently has five (5) unpaid code enforcement liens and special assessments which exist on the non-homestead property located at 665 N.E. 122 Street. The City's liens total over \$41,765.50 and the property is currently assessed at approximately \$96,000.00. A recent title search of the subject property revealed that it does not have any recorded mortgages or other encumbrances which would run prior to the City's liens.

On July 14, 2015 the Mayor and Council of the City of North Miami adopted Resolution 2015-71 which authorized the City Manager and City Attorney to take all necessary action and to execute all documents affecting the health, safety and welfare of the City during the City Council's recess from July 15, 2015 through August 24, 2015. As such, the City filed its Lis Pendens and Complaint on July 20, 2015 to secure its claims against the Property prior to any changes in the chain of title which would bar the City's ability to recover the unpaid debt.

Attachments

Proposed Resolution.

RESOLUTION NO. _____

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING
THE FORECLOSURE OF CODE ENFORCEMENT LIENS
ON THE PROPERTY LOCATED AT 665 NORTHEAST
122ND STREET, NORTH MIAMI, FLORIDA; PROVIDING
FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

WHEREAS, Section 21-66 of the City of North Miami ("City") Code of Ordinances provides that the Mayor and City Council may authorize the City Attorney to initiate litigation to foreclose on code enforcement liens and to file litigation seeking a money judgment; and

WHEREAS, the property located at 665 NE 122nd Street ("Property") is in severe disrepair constituting a blight on the community with substantial outstanding code enforcement liens whereby foreclosure litigation is recommended; and

WHEREAS, the City has approximately five (5) liens against the Property which total over Forty-One Thousand Seven Hundred Sixty-Five Dollars and Fifty Cents (\$41,765.50) and the property is currently assessed at approximately Ninety-Six Thousand Dollars (\$96,000.00); and

WHEREAS, the Property is a non-homestead property with no mortgage obligations; and

WHEREAS, the Mayor and City Council, after being fully advised, have determined that foreclosure of code enforcement liens against the Property is in the best interest of the City and its residents.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA THAT:

Section 1. Ratification. The Mayor and City Council of the City of North Miami, Florida, hereby ratify the foreclosure of code enforcement liens against the property located at 665 NE 122nd Street, North Miami, Florida.

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day of _____, 2015.

DR. SMITH JOSEPH
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ROLAND C. GALDOS, ESQ.
INTERIM CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

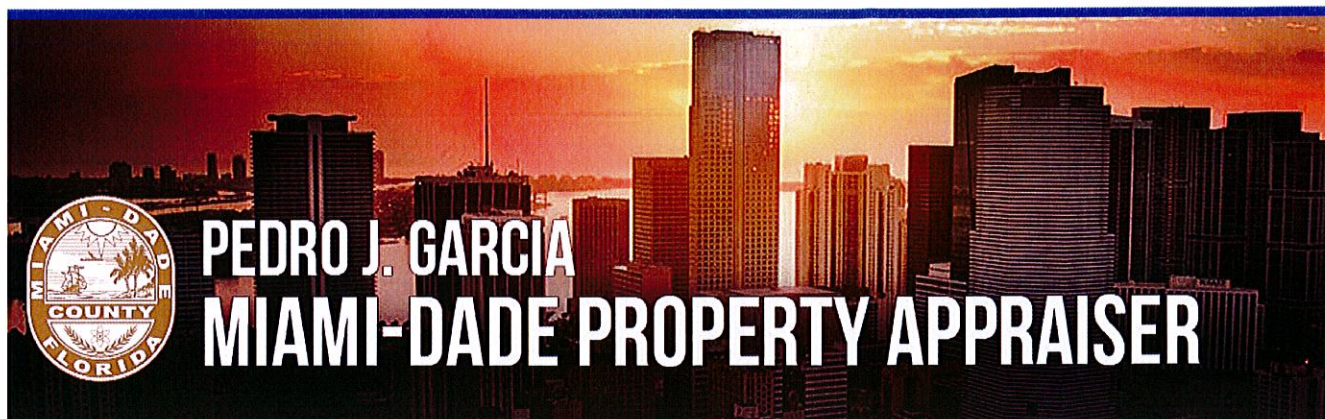
Moved by: _____

Seconded by: _____

Vote:

Mayor Smith Joseph, D.O., Pharm. D.
Vice Mayor Alix Desulme
Councilman Scott Galvin
Councilman Carol Keys, Esq.
Councilman Philippe Bien-Aime

_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)



Address Owner Name Folio

SEARCH:

665 NE 122 ST NORTH MIAMI FLORIDA 33161

Suite



Print Results

EXACT MATCH NOT FOUND FOR SEARCH CRITERIA ENTERED. 1 POSSIBLE MATCH (ES) ARE LISTED BELOW.

Click on the Folio number to view property details.

FOLIO: 06-2230-033-0430
SUB-DIVISION: GRIFFING BISCAYNE PARK ESTS IN PB 8-17
OWNER: DEUTSCHE BANK NATIONAL TRUST CO
ADDRESS: 665 NE 122 ST
 NORTH MIAMI

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The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/discclaimer.asp>

For inquiries and suggestions email us at <http://www.miamidade.gov/pa/email/ASP/formNew.asp>.

Version: 2.0.3

EXEMPTIONS & BENEFITS

Deployed Military

Disability Exemptions

Homestead

Institutional

Senior Citizens

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REAL ESTATE

40 Yr Building

Re-Certification

Appealing Your Assessment

Defective Drywall

Folio Numbers

Mortgage Fraud

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TANGIBLE PERSONAL PROPERTY

Appealing your Assessment

Assessment Information Search

Exemptions

Extension Requests

Filing Returns

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PUBLIC RECORDS